



U.S. PTO

PROVISIONAL PATENT  
03000-P0004A WWW/TMO

Applicant	Wesley W. Whitmyer, Jr.
Serial No. - Pending	Filing Date: July 9, 1999
Title of Application:	Web Site Automating Transfer Of Intellectual Property

1C541 U.S. PTO  
607143092  
10/09/99

Box Provisional Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

***Cover Sheet for Filing  
Provisional Application (37 c.f.r. § 1.51(2)(i))***

1. The accompanying application is a Provisional Application (37 C.F.R. 151(a)(2)(i)(A)).
2. The name of the inventor is as follows:

Wesley W. Whitmyer, Jr.
3. Address of the inventor (37 C.F.R. § 1.51(a)(2)(i)(C)):

198 Old Kings Highway South  
Darien, Connecticut 06820
4. The title of the invention is (37 C.F.R. § 151(a)(2)(i)(D)): "Web Site Automating Transfer Of Intellectual Property"
5. The name and registration number of the attorney and the telephone number is:

Wesley W. Whitmyer, Jr., Registration No. 33,558  
Telephone No. 203 324-6155

Express Mail Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as Express Mail Post Office to Addressee Mailing Label Number EM549546387US in an envelope addressed to: Box Provisional Patent Application, Assistant Commissioner for Patents; Washington, DC 20231.

July 9, 1999

*Beatrice R. Emerson*  
Beatrice R. Emerson

Applicant: Wesley W. Whitmyer, Jr.

6. The Docket Number used to identify this application is (37 C.F.R. § 1.51(a)(2)(i)(G): **03000-P0004A**.
7. The correspondence address for this application is (37 C.F.R. § (a)(2)(i)(G)):

Wesley W. Whitmyer, Jr., Esq.

**ST.ONGE STEWARD JOHNSTON & REENS LLC**

986 Bedford Street

Stamford, CT 06905-5619

8. This invention was not made by an agency of the United States Government, or under contract with an agency of the United States Government 37 C.F.R. § 151(a)(2)(i)(H).

9. Identification of documents accompanying this cover sheet:

Specification - 5 pages (including cover sheet)                      Drawings - 2 pages

10. Small Entity Statement: A verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is enclosed.

12. Fee Payment. Enclosed is our check which is in payment of:

Basic filing fee                      \$ 75.00

Total fees                            \$ 75.00

The Commissioner is hereby authorized to charge any deficiency during the entire pendency of this Application to Account No. 19-4516.

Respectfully submitted,

July 9, 1999

  
\_\_\_\_\_  
Wesley W. Whitmyer, Jr., Registration No. 33,558  
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Attorneys for Applicant  
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PROVISIONAL PATENT  
03000-P0004A WWW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	Wesley W. Whitmyer, Jr.
Serial No. - pending	Filed Concurrently herewith
Title of Application:	Web Site Automating Transfer Of Intellectual Property

Assistant Commissioner for Patents  
Washington, DC 20231

**Verified Statement Claiming Small Entity Status -- Independent Inventor**

As below named inventor, the undersigned declares that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **Web Site automating Transfer Of Intellectual Property** described in the specification filed herewith.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any right in the invention is listed below:

There is no such person, concern, or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

7-9-99

Date

Wesley W. Whitmyer, Jr.

Wesley W. Whitmyer, Jr.  
198 Old Kings Highway South  
Darien, CT 06820

PROVISIONAL PATENT  
03000-P0004A WWW/TMO

UNITED STATES PROVISIONAL PATENT APPLICATION

of

**Wesley W. Whitmyer, Jr.**  
198 Old Kings Highway South  
Darien, CT 06820

for

WEB SITE AUTOMATING TRANSFER OF INTELLECTUAL PROPERTY

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July 9, 1999

  
Beatrice R. Emerson

WEB SITE AUTOMATING TRANSFER OF INTELLECTUAL PROPERTY

Field Of The Invention

This invention relates to an Internet-based system for preparing the document used for performing due diligence, transfer, and recording transfer of 5 intellectual properties pursuant to an acquisition, divestiture, merger, IPOs, change of name or the like.

Background Of The Invention

Patents, trademarks, domain names, copyrights, and licenses thereof are often the most valuable assets of a business. This is especially true for software 10 and internet companies which have limited physical resources by design, and which are increasingly pursuing patents for their business methods.

Notwithstanding these facts, it is not uncommon for commercial transactions such as, divestitures, mergers, acquisitions, IPOs, name changes or the like (collectively "transfers") to proceed either with incorrect schedules of intellectual 15 property, or without any recordation of the transfers with the appropriate intellectual property offices around the world. When companies finally do get around to recording these transfers, it can be very difficult and expensive to root out the proper chain of transactions for recording, especially when one or more companies in the chain is out of business, its records destroyed and its officers 20 unavailable to execute the appropriate papers. In many cases, transfers are not recorded until filing of a lawsuit to enforce the rights since recordation can provide *prima facie* proof of ownership or may be a necessary prerequisite.

One of the reasons transfers take place with incorrect data, or are not recorded, is that companies may own properties handled by numerous different

law firms each of which is undergoing its own mergers, acquisitions and divestitures, each of which is probably using a different noncompatible trekking system for intellectual property requiring rekeying of data, and each of which may have data overlapping that of the other firms in an effort to provide as 5 complete a service as possible. In addition, third party firms and companies compete for payment of annuities and renewals on each of the properties such that companies may unwittingly transfer responsibility for handling the files.

A system automating delivery of professional services for date specific reminders is disclosed my prior U.S. Patent No. 5,895,468. A website for 10 inputting data and entering professional service orders for date specific reminders is also disclosed in my prior U.S. Patent Application Serial No. 09/237,521.

Perfectlaw™ DocPro™ by Executive Data Systems, Inc, of Coral Gables, Florida has recently begun offering electronic forms for assembly with client data 15 to automate the preparation, prosecution, issue and maintenance of patents and trademarks. These forms, lower, are not available over the web, they are software at the user's site such that they require hardware and software maintenance at the user's site

Internet-based application service providers, so called "ASPs" are known 20 and provide the advantage that hardware and software maintenance and upgrades are centrally managed by a third party and not by each user at its own site. None of these sites, however, provide intellectual property due diligence, transfer or transfer recording services.

What is desired, therefore, is a web-based system for automating the 25 preparation of documents used for recording transfer of intellectual properties worldwide. A system for generating schedules of intellectual properties for use in due diligence or transfer is also desired.

Summary Of The Invention

It is, accordingly, an object of the invention to provide a system for automating, over the internet, the transfer of intellectual property.

- Another object of the invention is to provide a system for automating, over  
5 the internet, the preparation of documents used for the transfer of intellectual property.

A further object of the invention is to provide a system for automating, over the internet, the preparation of documents used to perform due diligence for the transfer of intellectual property.

- 10 The invention and its particular features and advantages will become more apparent from the following detailed description considered with reference to the accompanying drawings

Brief Description Of The Drawings

- 15 FIG. 1 is a schematic block diagram depicting a system for automating, over the internet, the transfer of intellectual properties.

FIG. 2 is a schematic block diagram depicting creation of a database of intellectual properties for transfer with the system of FIG. 1.

Detailed Description Of The Invention

- It is to be understood that, although specific embodiments of the invention  
20 have been described herein in detail, such description is for purposes of illustration only and modifications may be made thereto by those skilled in the art within the scope of the invention.

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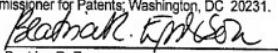
Cover Sheet For Two Sheets Of Drawings

Attorneys for Applicant

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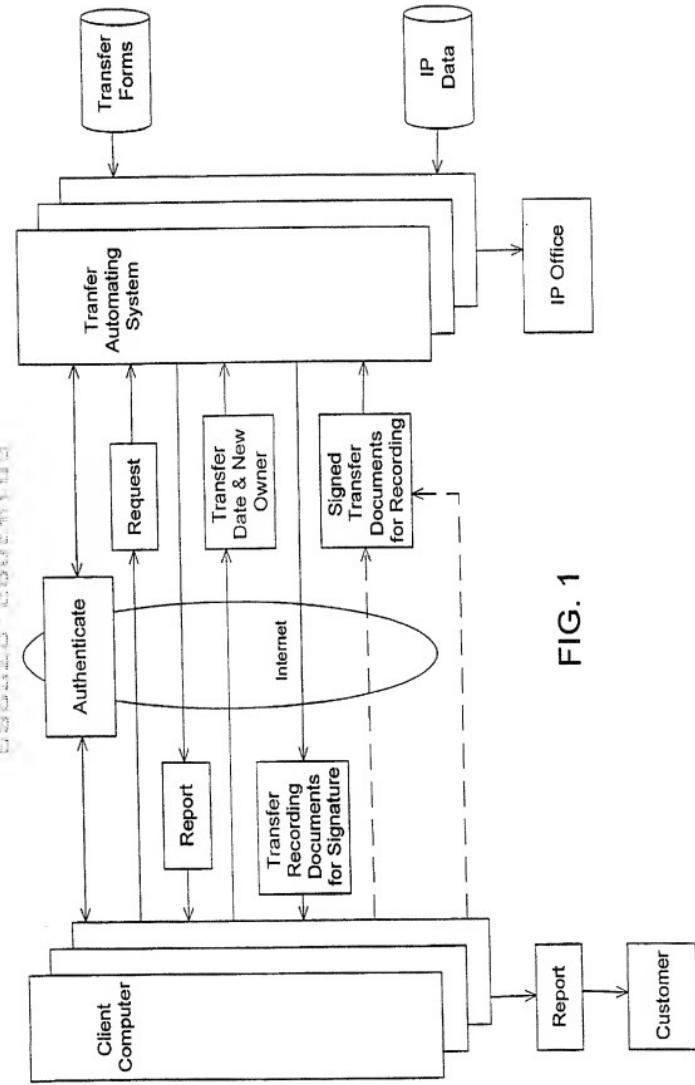


FIG. 1

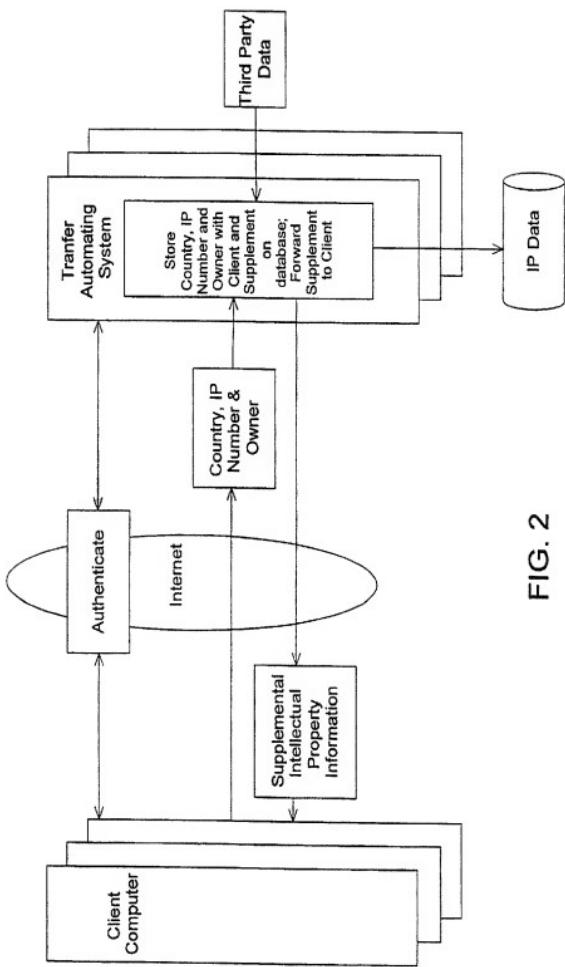


FIG. 2